

November 2005

Kids Safe Chemicals Act of 2005, S. 1391

Introduced by Senators Lautenberg and Jeffords

“While chemicals play a critical role in improving the quality of life for all Americans, an increasing number of studies suggest that some chemicals may pose serious long-term public health risks, including cancer and childhood developmental disabilities.”

Letter from Phillip J. Landrigan, M.D. Chair of Mt. Sinai School of Medicine Community & Preventative Medicine; and Lynn Goldman, Chair of John Hopkins Bloomberg School of Public Health Dept. of Environmental Health Sciences, as well as 14 distinguished co-signatories.

A recent study “showed that 287 chemicals were found in the umbilical cord blood of 10 randomly selected, healthy newborns around the country. Among the chemicals found, 76 are known carcinogens; 79 cause birth defects; and 94 are toxic to the nervous system and brain.”

Marianne Ratcliff. “Toxic Bodies are a bad sign: Kids’ health especially at risk.” *The Ventura County Star*, August 7, 2005 (referring to Environmental Working Group “Body Burden – Pollution in Newborns”).

“If you make a chemical that winds up in human blood, shouldn’t you do a test to find out what it does? Shouldn’t our nation have safe enough pollution laws that our babies are born with 10 fingers and 10 toes, and not 200 industrial chemicals that we know nothing about?”

Lauren Sucher of the Environmental Working Group quoted in Julie Deardorff’s article; “Please don’t tell me a prepolluted baby is just fine.” *The Chicago Tribune*, August 7, 2005.

The new Government Accountability Office Report “shows that most chemicals used in consumer products today have never undergone any federal safety review. Further, the report demonstrates that EPA lacks the necessary legal tools to protect our children from harmful chemicals.”

Statement of Senator Jim Jeffords while introducing the Kids Safe Chemical Act, July 13, 2005.

“Toxic chemicals don’t belong in baby products. Parents and caregivers deserve a regulatory system that requires chemicals to be proven safe before they are allowed in our children’s products.”

Meghan Purvis, U.S. PIRG Environmental Health Advocate. “U.S. PIRG Response to American Chemistry Council’s Comments on Toxic Chemicals in Baby Products.” *U.S. Newswire*, October 13, 2005.

“We have laws to make sure that pesticides and medicines are safe, but we fail to require similar analysis for the chemicals used in baby bottles, water bottles, food packages and thousands of other products. This is inexcusable.”

Senator Frank Lautenberg

Important Facts:

Mounting Scientific Evidence Linking Certain Chemicals and Public Health Risks

- A growing body of scientific literature identifies chemical exposures as a factor in the rise of disorders and diseases such as birth defects, asthma, neurological and developmental disorders, infertility and certain types of cancer.
- Due to their size and life stage, fetuses, infants and children are especially vulnerable to the effects of chemical exposure.

Overwhelming Evidence of Widespread Human Exposure to Synthetic Chemicals

- The US Center for Disease Control's "3rd National Report on Human Exposure to Environmental Chemicals," detected over 100 synthetic chemicals in the blood and tissue of most Americans tested.
- 287 chemicals were found in umbilical cord blood provided by the US Red Cross in an Environmental Working Group study. These chemicals were previously thought to be filtered by the umbilical cord.
- Due to gaps in the existing chemical management framework, more research is needed to determine if exposure at levels found is a health concern.

GAO Finds That TSCA Provides "Limited Assurances" that Health and Environmental Risks Are Identified¹

- In 29 years, only 5 chemicals have been subject to use limitations or bans.
- EPA does not routinely assess existing chemicals, testing for fewer than 200 of the 62,000 chemicals in commerce since EPA began chemical reviews in 1979.
- EPA lacks sufficient data to identify potential risks from new chemicals. Manufacturers of new chemicals are not required to perform basic health and safety data testing and few voluntarily do so. EPA's modeling of new chemicals has not been validated and is often inaccurate.
- 95% of the new chemical submissions submitted to the EPA by industry are claimed as "confidential business information." Even state health regulators are denied access to the information needed to help them protect public health.
- EPA lacks effective mechanisms for risk management even if the agency obtains toxicity and exposure information.

The Kid Safe Chemicals Act Would:

- Protect kids by requiring manufacturers to provide health and safety information prior to distributing a chemical in consumer products, instead of using kids and others as guinea pigs by presuming a substance is safe until proven dangerous;
- Recognize kids' special vulnerability to toxic exposures by establishing a standard of safety that accounts for children's increased sensitivity to toxic exposures.
- Close the knowledge gap in our understanding of chemical safety risks;
- Reward innovation and establish incentives for creation of safer alternatives; and
- Prioritize chemicals to make sure that the highest risk chemicals are examined first.

¹ *Chemical Regulation: Options Exist to Improve EPA's Ability to Assess Health Risks and Manage Its Chemical Review Program*, Government Accountability Office; June 2005. GAO-05-458.